

REMARKS

Claims 1-103 remain in this application. Claims 1, 31, 59 and 72-74 are amended.

In the Office Action dated June 17, 2004, the Examiner rejected claims 72-74 under 35 U.S.C. 112, second paragraph, because these dependent claims are improperly drawn to methods. Applicants have amended these claims such that they are drawn to photochromic articles. The amendment of these claims was for the sole purpose of correcting obvious typographical errors. Applicants submit that as amended, claims 72-74 overcome this rejection.

Further, the Examiner rejected claims 1-4, 11, 14-16, 19-21, 24-29, 31-34, 36, 41-44, 47-49 and 52-57, under 35 U.S.C. 102(b) as being anticipated by United States Patent 4,866,103 (i.e., "Cassidy"). Applicants submit that the Cassidy reference is directed to elastomers. As amended, the claimed invention is directed to a non-elastomeric polymerizate. Thus, Applicants submit that this rejection is considered moot.

Moreover, the Examiner rejected claims 17, 18, 22, 23, 45, 46, 50 and 51 under 35 U.S.C. 103(a) as being unpatentable over the Cassidy reference. As aforementioned, the Cassidy reference is directed to elastomers and the claimed invention is directed to a non-elastomeric polymerizate. The Cassidy reference does not even suggest the production of non-elastomeric materials. In view of the Cassidy reference, one having ordinary skill in the art would not be motivated to make a non-elastomeric material according to the claimed invention. Thus, Applicants submit that claims 17, 18, 22, 23, 45, 46, 50 and 51 are not obvious in view of the Cassidy reference.

Applicants submit that claims 1-103 are in condition for allowance and therefore, respectfully request reconsideration of these claims.

Very truly yours,



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